

REMARKS

By this amendment, all pending claims are canceled in this application, thus rendering moot the outstanding rejections under § 102.

New claims 31-36 are added, which are supported by the specification at, *inter alia*, page 8, ln. 26 – page 9, ln. 15; and page 22, lns. 16-18. Applicant hereby submits that new claims 31-36 are not anticipated by U.S. Patent No. 6,066,163 (hereinafter “John I”) under § 102(b) or by U.S. Patent No. 6,463,328 (hereinafter “John II”) under § 102(e).

Independent claim 31 recites “delivering a first electrical stimulus to an intralaminar nuclei of a brain of a mammal having a psychiatric disorder” and “delivering a second electrical stimulus to another area of the brain, wherein the another area of the brain is not the intralaminar nuclei.” *John I* (col. 10, lns. 7-42) and *John II* (col. 11, lns. 13-19) describe two separate stimulation sites, but neither stimulation site is specifically “an intralaminar nuclei of a brain of a mammal having a psychiatric disorder.”

For at least these reasons, Applicant submits that new claims 31-36 are not anticipated by *John I* or *John II* and request allowance of these claims.

CONCLUSION

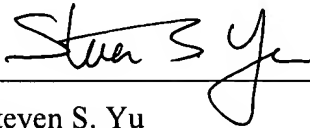
Applicant respectfully submits that the present application is in condition for allowance. The Examiner is invited to contact Applicant's representative to discuss any issue that would expedite allowance of this application.

The Commissioner is authorized to charge all required fees, fees under § 1.17, or all required extension of time fees, or to credit any overpayment to Deposit Account No. 11-0600 (Kenyon & Kenyon LLP).

Respectfully submitted,

Date:

Jan. 19, 2007



Steven S. Yu  
Reg. No. 58,776

KENYON & KENYON LLP  
1500 K Street, N.W.  
Washington, DC 20005  
Tel: (202) 420-4200  
Fax: (202) 420-4201